

HOUSE JOINT RESOLUTION 10

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Mary Helen Garcia

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 12, SECTION 14 OF THE
CONSTITUTION OF NEW MEXICO TO PROVIDE THAT IN A LOCAL SCHOOL
BOARD RECALL ELECTION, ONLY VOTERS ELIGIBLE TO VOTE TO ELECT
THE SCHOOL BOARD MEMBER MAY VOTE TO RECALL THAT MEMBER.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. It is proposed to amend Article 12, Section 14
of the constitution of New Mexico to read:

"A. Any elected local school board member is
subject to recall by the voters of the school district from
which elected as follows:

(1) for a member elected from a single-member
district, only the voters of that single-member district may
vote to recall the member; or

(2) for a member elected at large from the

underscored material = new
[bracketed material] = delete

1 school district, the voters of the school district may vote to
2 recall that member.

3 B. A petition for a recall election must cite
4 grounds of malfeasance or misfeasance in office or violation of
5 the oath of office by the member concerned.

6 C. The recall petition shall be signed by
7 [~~registered~~] voters not less in number than thirty-three and
8 one-third percent of those who voted for the office at the last
9 preceding election at which the office was voted upon.

10 Procedures for filing petitions and for determining validity of
11 signatures shall be as provided by law.

12 D. If at the special election a majority of the
13 votes cast on the question of recall are in favor thereof, the
14 local school board member is recalled from office and the
15 vacancy shall be filled as provided by law."

16 Section 2. The amendment proposed by this resolution
17 shall be submitted to the people for their approval or
18 rejection at the next general election or at any special
19 election prior to that date that may be called for that
20 purpose.